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APR 20 2009

April 20, 2009

The Honorable Mark Meadows  
Michigan House of Representatives  
P O Box 30014  
Lansing, MI 48909

Dear Representative Meadows:

In action taken at a recent meeting, the Michigan County Social Services Association Board of Directors opposed HB 4139, currently assigned to your Judiciary Committee. This bill, if enacted, would provide for fines against juveniles who commit certain crimes and counseling for those juveniles and their parents. The juvenile system is not a duplication of the criminal system for adults. The purpose of sentencing (or disposition as they call it in juvenile proceedings) is not punishment. One aspect of sentencing in the adult system is punishment, along with protection of society, rehabilitation and general attempts to keep others from committing similar crimes. Fines are for punishment and are not appropriate in juvenile proceedings. Linking fines with counseling seems like a particularly bad combination. Counseling is definitely not punishment oriented, but is meant to try and rectify the situation. It is not clear as to why the sponsor is only proposing these options be available in matters where violence, or the threat of it against another child is an element of the offense. There are in place options for courts to look to the child or the parent for court service fees or for restitution to the victim. The purpose of assessing these fees goes beyond a punishment to the parent or child.

In further action, the MCSSA Board of Directors supported HBs 4518 and 4594-4596. These bills would amend the Michigan Penal Code to exclude application of imprisonment for life without parole to juvenile offenders, prohibit sentencing an individual convicted as a juvenile to imprisonment for life without parole eligibility, and allow parole of certain juvenile offenders sentenced to imprisonment for life.

Additionally, the Board opposed HB 4535, expanding the conditions under which termination of parental rights can occur when abuse or neglect is present. Courts need to be able to see the whole picture and policy already exists requiring DHS to submit a petition for, at a minimum, jurisdiction.

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The MCSSA Board of Directors also supported HB 4287, clarifying the penalties for Bridge card fraud by merchant.

Thank you for considering our positions and for your efforts on behalf of Michigan's citizens.

Sincerely,

A handwritten signature in black ink, appearing to read "Melvin Haga", with a stylized flourish at the end.

Melvin Haga  
Executive Director

cc: Fritz Benson  
Representative Shanelle Jackson  
Representative Bert Johnson  
Representative Rebekah Warren  
Representative Dan Scripps  
Representative Robert Jones